

19881031

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, OCTOBER 31, 1988

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:07 p.m.

Mayor O'Connor adjourned the meeting at 4:35 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-excused by R-272419
(vacation)
- (7) Council Member McCarty-present
- (8) Council Member Filner-excused by R-272324
(family emergency)
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

ITEM-10: INVOCATION

Invocation was given by Reverend James W. Mishler,
Metro United Methodist Urban Ministries.

FILE LOCATION: MINUTES

Oct-31-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Pratt.

FILE LOCATION: MINUTES

Oct-31-1988

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

9/19/88

9/20/88

9/26/88

9/27/88

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A033-047.)

MOTION BY McCOLL TO APPROVE. Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksmma-yea, Henderson-not present, McCarty-yea,
Filner-not present, Mayor O'Connor-yea.

ITEM-31: RECOGNIZED

Recognizing a United States Information Agency sponsored
multi-regional group of approximately 35 distinguished
international politicians, academics, and journalists.
Their visit and study program, here in San Diego, is being
coordinated by the International Visitors Council of San
Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A048-059.)

ITEM-32: ADOPTED AS RESOLUTION R-272202

Proclaiming October 25 through October 31, 1988 to be
"Magic Week" in San Diego, and thanking all magicians in
our community for spreading joy and goodwill.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A070-075.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksmma-yea, Henderson-not present, McCarty-yea,
Filner-not present, Mayor O'Connor-yea.

ITEM-33: GRANTED HEARING

Matter of the request of Verna M. Quinn, Chairperson, Southeast San Diego Development Committee and John Proffitt, applicant, for a hearing of an appeal from the decision of the Board of Zoning Appeals in approving with modifications a request for extension of time of CUP-11132, originally approved on July 25, 1966, which permitted the use of premises as a vehicle storage and impound yard. The subject property is located at 6370 Akins Avenue in the MF-3000 Zone and is more particularly described as Lots 8, 9, and 17, Block 5, Encanto Heights in the Southeast San Diego Planned District.

(CUP-11132. District-3.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE - ZONING APPEALS CASE CUP-11132

COUNCIL ACTION: (Tape location: A260-291.)

MOTION BY McCOLL TO GRANT THE HEARING BASED ON CITY-WIDE SIGNIFICANCE. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-34: GRANTED HEARING

Matter of the requests of All Saints Lutheran Church and Friends of Chabad Lubavitch San Diego, by Voyd H. Beights, for a hearing of the appeals from the decision of the Board of Zoning Appeals in denying CUP-19923 and approving a modified amendment to CUP-8490. CUP-8490 (originally approved 12/29/67) permitted construction of a church plant including nursery school, fencing and playground. When this amendment to CUP-8490 was submitted, All Saints Lutheran Church desired to split the church property, via a parcel map, and sell the south 17,300 square feet of the lot to the Friends of Chabad Lubavitch San Diego.

Case CUP-19923 proposes to (1) construct a synagogue to measure 38'0" in height where 30'0" is permitted; and (2) to provide six on-site parking spaces where 48 are required. The subject property is a portion of Parcel 2, Parcel Map PM-6903, being a subdivision of Lot 1, All Saints Lutheran Church Map-5941, located at the 6300 block of Radcliffe Drive, in Zone R1-5000, in the University Community Plan area; and

Case CUP-8490 (pending approval of the new parcel map) proposes (1) to construct a 370'0" retaining wall along the east property line, a 30'0" portion to measure 6'0" to 8'0" in height where 6'0" is the maximum height permitted; (2) to construct a 3'0" to 6'0" high fence on top of the retaining wall, without a horizontal separation, where such separation is required; and (3) to permit All Saints Lutheran Church, Friends of Chabad Lubavitch San Diego and La Jolla Bank to share the 91 parking spaces (existing and proposed) to be located on the three adjacent properties via an irrevocable joint use parking agreement. The subject property is Parcel 2, Parcel Map PM-6903, located at 6355 Radcliffe Drive, in Zone R1-5000, in the University Community Plan area.
(CUP-19923 & CUP-8490. District-1.)

A motion granting or denying the request for a hearing of the appeals.

FILE LOCATION: ZONE - ZONING APPEALS CASE CUP-19923,
CUP-8490

COUNCIL ACTION: (Tape location: A292-314.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING BASED ON CITY-WIDE SIGNIFICANCE. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-100: (R-89-390) ADOPTED AS RESOLUTION R-272203

Inviting bids for the construction of sidewalk on Lake Murray Boulevard - Navajo Road to 1200' North on Work Order No. 119218; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$54,000 from CIP-52-327, Annual Allocation - Safety All Weather Walkways, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0193/89)
(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: This project will install the final 650 feet of all-weather sidewalk on the west side of Lake Murray Boulevard between Navajo Road and Highwood Drive. This all-weather sidewalk will provide a safe walkway for students going to school and

area pedestrians to the shopping centers.

Aud. Cert. 8900335.

FILE LOCATION: W.O. 119218 CONT FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-101:

Seven actions relative to the final subdivision map of Friars-Mission Center , a 13-lot subdivision located northwesterly of Friars Road and Mission Center Road: (Mission Valley Community Area. District-5.)

Subitem-A: (R-89-763) ADOPTED AS RESOLUTION R-272204

Authorizing the execution of a Subdivision Improvement Agreement with H.G. Fenton Material Company for the installation and completion of public improvements.

Subitem-B: (R-89-762) ADOPTED AS RESOLUTION R-272205

Approving the final map.

Subitem-C: (R-89-764) ADOPTED AS RESOLUTION R-272206

Approving the acceptance by the City Manager of a street easement deed of Russell V. Grant, granting to the City an easement for public street purposes in a portion of Parcel 1 of Parcel Map PM-12442, and in a portion of Lot 3 of the partition of a portion of Pueblo Lots 1173 and 1174; dedicating the land as and for a public street and naming the same Mission Center Road.

Subitem-D: (R-89-765) ADOPTED AS RESOLUTION R-272207

Approving the acceptance by the City Manager of a street easement deed of Sunroad Plaza East, LTD., granting to the City an easement for public street purposes in a portion of Parcel 1 of Parcel Map PM-13808; dedicating the land as and for a public street and naming the same Frazee Road.

Subitem-E: (R-89-766) ADOPTED AS RESOLUTION R-272208

Approving the acceptance by the City Manager of street reservations in Parcel 2 of Parcel Map PM-13808 and in Lot 7 of Mission Valley Heights, Map-11034; dedicating the land as and for a public street and naming the same Mission

Heights Road.

Subitem-F: (R-89-767) ADOPTED AS RESOLUTION R-272209

Approving the acceptance by the City Manager of a street easement deed of Sunroad Plaza East, LTD., granting to the City an easement for public street purposes in a portion of Parcel 2 of Parcel Map PM-13808; dedicating the land as and for a public street and naming the same Mission Heights Road.

Subitem-G: (R-89-768) ADOPTED AS RESOLUTION R-272210

Authorizing the Mayor and City Clerk to execute a quitclaim deed, quitclaiming to H.G. Fenton Material Company, the reversion of abutter's rights of access to Friars Road, adjacent and contiguous to Pueblo Lot 1173, heretofore relinquished to the City.

FILE LOCATION: SUBITEMS A&B: SUBD - FRIARS-MISSION CENTER;
SUBITEM C: DEED F-4678; SUBITEM D: DEED
F-4679; SUBITEM E: DEED F-4680; SUBITEM F:
DEED F-4681; SUBITEM G: DEED F-4682
CONT FY89-1; DEED FY89-5

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-102: (R-89-740) ADOPTED AS RESOLUTION R-272211

Granting an extension of time to September 10, 1989 to H.G. Fenton Material Company, subdivider, to complete the improvements required for Mission Valley Heights.
(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On September 10, 1984, the City entered into a Subdivision Improvement Agreement (Deferred Improvement Development) with H.G. Fenton Material Company, a California Corporation, for the future construction of public improvements for Mission Valley Heights. The agreement expired on September 10, 1986. On September 8, 1986, a time extension was granted to September 10, 1987 by Resolution R-266504. On January 4, 1988, a second time extension was granted to September 10, 1988 by Resolution R-270013. On April 4, 1988 by Resolution R-270662, the original agreement was amended to include an item to allow the subdivider to petition the City for the construction and financing of some or all of

the public improvements by a Special Assessment District. It is anticipated that the Assessment District will be brought before the City Council by early 1989. The subdivision improvements should be completed within six or seven months of award of contract. Therefore, the subdivider is requesting an extension of time until September 10, 1989.

FILE LOCATION: SUBD - MISSION VALLEY HEIGHTS

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-103:

Two actions relative to the Improvement of City-Wide Alley Improvement and Sewer Replacement - Contract No. 2 (Improvement Act of 1911):
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-89-776) ADOPTED AS RESOLUTION R-272212

Authorizing the City Manager to initiate proceedings for the improvement of City-Wide Alley Improvement and Sewer Replacement - Contract No. 2, under the provisions of the San Diego Municipal Code, and the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for the improvement of City-Wide Alley Improvement and Sewer Replacement - Contract No. 2, together with estimates of the costs and expenses of such work and to furnish Council with a description of the district to be included in the assessment for the work and improvements.

Subitem-B: (R-89-777) ADOPTED AS RESOLUTION R-272213

Resolution of Intention for the Improvement of City-Wide Alley Improvement and Sewer Replacement - Contract No. 2 under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

CITY MANAGER SUPPORTING INFORMATION: The City-Wide Alley Improvement and Sewer Replacement - Contract No. 2 is the second project in the Southeast San Diego area to be considered by Council under the Gas Tax - Assessment District cost sharing concept. The cost sharing concept is based on Gas Tax Funds being used to finance 50 percent of the alley improvements and the remaining 50 percent of the alley improvement cost being

assessed to the benefitting parcels. Under this program, all property owners will pay their assessments, since Gas Tax Funds cannot be utilized to pay individual assessments. The proposed improvements to the six alleys included in this contract consist of clearing, grubbing, grading, paving, curb, retaining wall, storm drain and sewer main replacement improvements. There are 78 parcels in the proposed district. The cost of the sewer main replacements will be paid from Water Utility Department sewer annual allocation funds.

FILE LOCATION: STRT D-2278

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-104: (R-89-736) ADOPTED AS RESOLUTION R-272214

Vacating the street reservation and the slope easements within Lots 1, 2, 12 and 13, of Otay International Center, Lot 5, per Map-11897, to facilitate development of their properties, under the procedure for the summary vacation of streets where a street and appurtenant slope easements to be vacated are excess rights-of-way.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The proposed vacations have been requested in order to remove the street reservations and slope easements affecting Lots 1, 2, 12 and 13 of Otay International Center (OIC), Lot 5, Map-11897, and to accommodate future development. The areas to be vacated are located in the Otay Mesa Community and situated in the OIC subdistrict of the Otay Mesa Development District (OMDD) Zone. The street reservations encumber a total of 5,660 square feet, while the slope easements encumber approximately 2,700 square feet of the affected parcels. Residential Development is not permitted under the existing zone regulations. Development of the encumbered properties requires approval of discretionary permits. The Planning Department has no objections to the street vacation proposal.

The subject rights-of-way to be vacated are unimproved and do not contain public utilities or franchise facilities.

Originally, Roll Drive was to be an industrial cul-de-sac and the reservation areas were granted to provide adequate right-of-way and lateral support for the cul-de-sac. Roll Drive has now been permitted to maintain its intersection with Siempre

Viva Road on the condition that an additional traffic lane be installed between SR-125 and Paseo de las Americas and that no median breaks be permitted. The additional right-of-way and related improvements for Siempre Viva Road are being provided as part of the subdivision improvements for Otay International Center, Lot 5, Map-11897. Staff review has indicated that the Street Reservation and adjacent slope easements are no longer required for present or prospective public use and may be summarily vacated.

FILE LOCATION: STRT J-2701; DEED F-4683 DEED FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-105: (R-89-800) ADOPTED AS RESOLUTION R-272215

Vacating two unneeded drainage easements affecting Lot 1 of Daley Industrial Park Unit No. 1, pursuant to Section 8300 et seq. of the Streets and Highways Code.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Engineering and Development Department has received an application for the abandonment of two 10-foot-wide drainage easements that presently encumber Lot 1 of Daley Industrial Park, located on the south side of Aero Drive, westerly of Ruffin Road and I-15. The storm drains that were originally within the easements have been relocated westerly to Olive Avenue right-of-way in 1984; the City Engineer responsible for drainage anticipates no present or future need for retention of either easement. The necessary right-of-way for road improvements in this area was donated to the City in 1966 by adjoining property owners. Both the Engineering and Development and Property Departments recommend that the Council adopt a Resolution to vacate these drainage easements.

FILE LOCATION: DEED F-4684 DEED FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-106: (R-89-786) ADOPTED AS RESOLUTION R-272216

Authorizing the sale by negotiation of a portion of Pueblo Lot 1322 for the sum of \$500 to the State of California; authorizing the execution of a grant deed, granting to the State of California said property; determining that no broker's commission shall be paid by the City on said negotiated sale.

(North University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego was approached by the State of California to sell a 0.93-acre excess piece of City-owned property located immediately north of Genesee Avenue and adjoining the westerly side of I-5. The parcel is required for improvements to the southbound off-ramp from I-5 to Genesee Avenue. The 0.93-acre parcel is a small portion of a 30.76-acre parcel currently designated as open space and which will be dedicated as parkland. The Park and Recreation Department has no objection to the sale of the subject parcel. The \$500 nominal value attributed to the property by a CalTrans appraiser was reviewed and validated by a City staff appraiser, because the surface rights are totally encumbered with road, slope and drain easements.

FILE LOCATION: DEED F-4685 DEED FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-107: (R-89-775) ADOPTED AS RESOLUTION R-272217

Authorizing the City Manager and City Auditor and Comptroller to add Building 1 Remodel, CIP-21-829, to the Fiscal Year 1989 Capital Improvement Program; authorizing the City Auditor and Comptroller to transfer \$150,000 from Capital Outlay - Florida Canyon Fund No. 30245.1 to CIP-21-829, Building 1 Remodel.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Building 1 is one of the buildings to remain at the former Naval Hospital site. On July 28, 1987 Council adopted a resolution that Building No. 1 be used for Park and Recreation Department staff offices. Remodeling is needed to make it usable for this purpose. Today's action will create a CIP Project and allow staff to proceed with a consultant's services contract to accomplish the design phase of the work.
Aud. Cert. 8900362.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-108:

Two actions relative to the Edison Elementary School - Acquisition (PSD 632):
(Mid-City Community Area. District-3.)

Subitem-A: (R-89-881) ADOPTED AS RESOLUTION R-272218

Authorizing the transfer of an amount not to exceed \$857,250 from Mid-City Park Development Fund 39094, and the transfer of an amount not to exceed \$157,500 from CIP-29-566.0, Mid-City Park Site - Acquisition (CDBG Fund 18524, Dept. 5663, Org. 6303), to CIP-29-619.0, Edison Elementary School - Acquisition (PSD 632); authorizing the expenditure of an amount not to exceed \$1.5 million from CIP-29-619.0, Edison Elementary School - Acquisition (PSD 632), to cover the cost of acquisition of real property and related costs.

Subitem-B: (R-89-882) ADOPTED AS RESOLUTION R-272219

Certifying that the information contained in Environmental Negative Declaration END-88-0220, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and the National Environmental Policy Act (NEPA), and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The authorization of funds in the amount of \$1.5 million for CIP-29-619.0, Edison Elementary School - Acquisition (PSD 632), will provide for the acquisition of 10 contiguous improved properties located on the north side of Polk Avenue between 35th Street and Wilson Avenue. The land, consisting of approximately 40,800 square feet, will be owned by the City and leased to the School District as a site on which to relocate portable classrooms which currently occupy a portion of the existing school playground. This action will allow the existing playground to be restored to full use by the children during school hours and the City, in turn, will lease the playground from the School District for community park purposes when school is not in session.

Aud. Cert. 8900308.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-109: (R-89-41) ADOPTED AS RESOLUTION R-272220

19881031

Authorizing the execution of a first amendment to the lease agreement with Donald and Donna Abrego, for the operation of Presidio Hills Public Golf Course, which extends the term of the lease for an additional five years, expiring March 31, 1998.

(See City Manager Report CMR-88-366. Old Town Community Area. District-2.)

COMMITTEE ACTION: Reviewed by PFR on 10/12/88.

Recommendation to approve the City Manager's recommendation. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: LEAS- DONALD AND DONNA ABREGO LEAS
FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-110: (R-89-731) ADOPTED AS RESOLUTION R-272221

Authorizing the execution of a Sponsor Agreement with the California Conservation Corps to provide the City eight corpsmembers; expenditure of an amount not to exceed \$58,000 from Fiscal Year 1989 Park and Recreation Department, Open Space Division, California Conservation Crew Program, Dept. 446, Org. 246, Account 4227, Job Order 044647, for the purpose of providing funds for the execution of the above agreement; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION: The City Council authorized \$97,795 in the FY 1989 Park and Recreation department budget for operation of a California Conservation Corps crew.

Under the terms of the agreement between the City and the State, the City is to pay one half the cost of providing the eight corpsmembers furnished by the State. Of the total program budget, \$58,000 is identified as the maximum amount required to meet the billings for this labor. Remaining funds are to be used for the City's supervisor, vehicle, tools and equipment. The crew will be involved with tree planting, pedestrian trail maintenance, clean up, facility maintenance and repair, erosion repair and other projects of a conservation nature. This request is for Council authorization of payments to the State of California, which will bill the City monthly for the corpsmembers labor costs, as provided under the terms of the agreement, and for authorizing the agreement that provides for the corpsmembers.

Aud. Cert. 8900344.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-111: (R-89-797) ADOPTED AS RESOLUTION R-272222

Authorizing the execution of an agreement with Luke-Dudek Civil Engineers, Inc. , for engineering services for Sewer Main Replacement Group 92 ; authorizing the expenditure of an amount not to exceed \$112,496 from Sewer Revenue Fund 41506, CIP-44-001.0, Annual Allocation - Main Replacements, for the purpose of providing funds for the above project. (Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: This agreement will provide engineering services for the design of Sewer Main Replacement Group 92. Located in the Pacific Beach Community area, Group 92 is one of the 15 sewer main replacement projects under the compliance mandate of the Regional Water Quality Control Board's Cease and Desist Order 87-89 and the City's \$92 million accelerated projects schedule for eliminating sewage spills into Mission Bay. The request for engineering services for several sewer main replacement projects was advertised in the Daily Transcript on March 11, 1988. Of 29 letters of interest received, 6 firms were considered in the final selection process. These firms were interviewed on May 19, 1988, in conformance with Council Policy 300-7, and Luke-Dudek Civil Engineers, Inc., was selected for this particular project.

The scope of work will include the preparation of construction drawings and specifications, traffic control plans, and assistance during the construction phase. The agreement includes a 4.65 percent allowance for additional engineering services, if needed.

Aud. Cert. 8900364.

WU-U-89-036.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-112: (R-89-773) ADOPTED AS RESOLUTION R-272223

Authorizing the execution of a third amendment to agreement with the Regents of the University of California, providing for the use of San Vicente Reservoir by the University of California for research purposes.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego originally entered into an agreement with the University of California in 1963, for the use of San Vicente Reservoir by the Scripps Institute of Oceanography for research purposes for a period of five years. Since that time this agreement has been renewed, or amended for five year periods with the current agreement terminating August 20, 1988. The University has currently requested an additional five year extension to August 20, 1993. The University's Marine Physical Laboratory would, at no cost to the City, utilize a test and calibration facility located at the reservoir in performing naval research work. This research is done under more rigidly controlled conditions than would be possible on board a research ship at sea. The use of the facility for these experimental purposes does not interfere with the City's operation and maintenance of the reservoir.

WU-89-047.

FILE LOCATION: WATER - SAN VICENTE RESERVOIR CONT
FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-113: (R-89-799) ADOPTED AS RESOLUTION R-272224

Authorizing the execution of an amendment to the agreement with San Diego County Certified Development Corporation, increasing operating funds for calendar year 1988 from \$380,000 to \$384,030; authorizing the expenditure of an amount no to exceed \$4,030 from Department 5665, Organization 6503, Account 4222, Job 65032, for the above described purpose.

CITY MANAGER SUPPORTING INFORMATION: For calendar year 1988, the San Diego City Council authorized an appropriation of \$400,000 in CDBG funds for the operation of the Certified Development Corporation (CDC). At the time the operating contract with the CDC was approved, \$20,000 of the total of \$400,000 was reserved for the estimated cost of related contract monitoring and audit services. The actual cost of these services for 1988 is now fixed at \$15,970, thus freeing up \$4,030 of the \$20,000 reservation. This action would make that savings available to the CDC for operational expenditure during the remainder of 1988.

Aud. Cert. 8900354.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-114: (R-89-883) ADOPTED AS RESOLUTION R-272225

Rescinding Resolution R-270418, Resolution of Necessity, that authorized the acquisition of three parcels of land for open space purposes through the condemnation process, adopted by the City Council on February 23, 1988, as to the Morales property only.

(Mid-City Community Area. District-3.)

FILE LOCATION: STRT-OS-16

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-200: (R-89-803) ADOPTED AS RESOLUTION R-272226

Authorizing the execution of a contract with Economics Research Associ

"Facility Evaluation and Operational Feasibility Analysis of the North Park Theater"; authorizing the expenditure of an amount not to exceed \$31,950 from the CDBG Fund allocation for the North Park Theater. (See City Manager Report CMR-88-363. North Park Community Area. District-3.)

COMMITTEE ACTION: Reviewed by PF&R on 8/10/88.

Recommendation to: 1) Enter into negotiations with Starlight Opera and other interested users for their use, operation, maintenance, and management of the theater, contingent upon the City's acquisition of the property, and 2) issue an RFP to obtain a consultant to evaluate the cost of improvements and to conduct an operation and feasibility study and report back on the status of these two items in 60 days. Also, the Committee requested the City Manager to prepare an RFP for a market analysis to be issued in the event that the negotiations with Starlight opera are not successful. Districts 5, 6 and 7 voted yea. Districts 1 and 8 voted nay.

CITY MANAGER SUPPORTING INFORMATION: At the August 10, 1988, PF&R meeting the City Manager was directed to issue a Request for Proposal for a Facility Evaluation and Operational Feasibility Analysis of the North Park Theater. Three proposals were received. An evaluation committee consisting of representatives of the San Diego Chamber of Commerce, Centre City Development Corporation, East County Performing Arts Center and City staff unanimously selected the proposal from Economic Research Associates (ERA). Assisting ERA's professionals will be a team consisting of Milford Wayne Donaldson, a local architect specializing in historical preservation; Kevin O'Connor, a theatre manager from the City of Downey; and Paul Laundry and Jack Bogan, principals in a firm specializing in the planning and technical design of performing arts facilities. Resulting from this study will be a prioritized listing of necessary and desirable facility improvements with associated cost estimates, an evaluation and comparison of possible operation and management options for the performing arts facility as well as the store fronts and office space, and an economic impact of the facility's operation. ERA will provide the final report of their findings within 45 days after execution of the contract. A presentation by ERA of their findings will be provided to the PF&R Committee in early January.

Aud. Cert. 8900374.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: B077-153.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-201: (R-89-608 Rev.1) ADOPTED AS RESOLUTION R-272227

19881031

(Continued from the meeting of October 10, 1988, Item 127, at Council Member Struiksma's request for further review.)

Accepting the Linda Vista Revitalization Study prepared by Economics Research Associates; amending the Linda Vista Redevelopment Plan by designating the 123 acre survey area described in the Linda Vista Revitalization Study; authorizing the City Manager, Planning Director, and Planning Commission to take all steps necessary to amend the Linda Vista Redevelopment Plan as described in the Linda Vista Revitalization Study.

(See City Manager Report CMR-88-482. Linda Vista Community Area. District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B070-076.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-202: (R-89-229) ADOPTED AS RESOLUTION R-272228

(Trailed from the adjourned meeting of Tuesday, October 4, 1988, Item 331; and continued from the meeting of October 10, 1988, Item 214, at Bill Schemper's request, for renoticing.)

Declaring that the impact fees approved by the Council in Resolutions R-269019 and R-269274 for the Skyline-Paradise Hills Community are hereby found to be the applicable fees for the areas recently added to the Skyline-Paradise Hills Community.

(Skyline Paradise Hills Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On June 30, 1987, the City Council adopted Resolution R-268740 rescinding the 1978 South Bay Terraces Community Plan and approving a revised

Skyline-Paradise Hills Community Plan incorporating South Bay Terraces within its boundary. The revised Skyline-Paradise Hills Community Plan became effective December 8, 1987 upon its incorporation into the Progress Guide and General Plan for the City of San Diego by adoption of Council Resolution R-269983. The proposed action would make the existing Impact Fees for the Skyline-Paradise Hills Community, adopted prior to the boundary revision, also applicable to the recently added area formerly known as South Bay Terraces. The existing residential fees are \$970 per equivalent dwelling unit. Commercial/Industrial fees are \$77 per trip for transportation purposes and \$30 per 1000 square feet of gross building area for fire protection purposes.

FILE LOCATION: LAND - SKYLINE-PARADISE HILLS COMMUNITY PLAN

COUNCIL ACTION: (Tape location: B070-076.)

Hearing began at 3:09 p.m. and halted at 3:10 p.m.

MOTION BY MCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-203:

(Pomerado Road closure and U.S.I.U. park site designation continued from the meeting of September 13, 1988, Item 339, at Councilmember Struiksma's request, to allow the Planning Department to complete the Environmental Impact Report for the closure of Pomerado Road and to review the Conditional Use Permit for USIU and report back to Council.)

An amendment to the Scripps Miramar Ranch Community Plan to designate seventeen acres south of Pomerado Road in Carroll Canyon on the United States International University Campus for a resource-based park. The amendment would also incorporate into the plan, a motion made by Council Member Struiksma, at a City Council hearing and approved by a vote of 7-1 on March 1, 1988. The motion is as follows:

"Upon the completion of the improvements on Pomerado Road by the project referred to as the County Island, Pomerado Road shall not be connected with the City of Poway until such time as the opening of Alternative 8A as a paved four-lane road occurs."

(District-1.)

19881031

Subitem-A: (R-89-1058) ADOPTED AS RESOLUTION R-272229

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0558 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-884 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-272230

Adoption of a Resolution amending the community plan.

FILE LOCATION: LAND - SCRIPPS MIRAMAR RANCH COMMUNITY PLAN

COUNCIL ACTION: (Tape location: B040-069; B424-C562.)

Hearing began at 3:20 p.m. and halted at 4:10 p.m.

Testimony in favor by Oscar Simpson, Mark Sorenson, Aileen Heimlick, Peter Kauffman, John Peek, Karen McElliott, David Prewett, Bob Kingeman, and Paul Peterson.

Testimony in opposition by Bob Emery, Steve Eckis, and Allan Dickey.

Mayor O'Connor closed the hearing.

MOTION BY STRUIKSMA TO CONTINUE TO DECEMBER 12, 1988, THAT PORTION OF THE ITEM RELATING TO THE DESIGNATION OF THE 17 ACRES SOUTH OF POMERADO ROAD AS A RESOURCE-BASED PARK. Second by

McColl. Passed by the following vote; Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO CERTIFY EIR 88-0558 AND ADOPT THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION; AND AMEND THE SCRIPPS MIRAMAR RANCH COMMUNITY PLAN TO PROVIDE THAT BEFORE THE COUNCIL IS TO TAKE ANY ACTION ON INCREASING THE SIZE OF POMERADO ROAD, THERE FIRST MUST BE AN ADVISORY VOTE OR REFERENDUM CONDUCTED BY THE CITY, AT CITY EXPENSE, IN THE SCRIPPS RANCH COMMUNITY; AND SECONDLY, UPON THE COMPLETION OF THE IMPROVEMENTS TO POMERADO ROAD BY THE PROJECT REFERRED TO AS THE COUNTY ISLAND, POMERADO ROAD SHALL NOT BE CONNECTED WITH THE

CITY OF POWAY UNTIL SUCH TIME AS THE OPENING OF ALTERNATIVE 8A AS A PAVED FOUR LANE ROAD OCCURS. IN VIEW OF THE CERTIFICATION OF THIS EIR AND THE COMMUNITY PLAN AMENDMENT RELATING TO POMERADO ROAD, STAFF IS DIRECTED TO COMPLETE FORTHWITH COUNCIL'S DIRECTION OF MAY 9, 1988, SET FORTH IN RESOLUTION NO. R-270935. THE CLOSURE OF POMERADO ROAD FOR IMPROVEMENTS IS PHYSICALLY NECESSARY DUE TO THE EARTH MOVEMENT REQUIRED TO CREATE THE

ROADBED, AS DESCRIBED IN THE FINAL EIR. AFTER ITS CONSTRUCTION, IT IS NECESSARY TO KEEP THE ROADWAY CLOSED UNTIL THE COMPLETION OF THE SCRIPPS NORTH PARKWAY/SOUTH POWAY PARKWAY, COMMONLY REFERRED TO AS ALTERNATIVE 8A, IN ORDER TO AVOID THE TRAFFIC IMPACTS TO POMERADO ROAD THROUGH THE SCRIPPS RANCH COMMUNITY DESCRIBED IN THE FINAL EIR; AND THAT THE FOLLOWING EVIDENCE IS INCORPORATED HEREIN BY THIS REFERENCE AND SERVES AS FURTHER SUPPORT OF THE FINDINGS HEREIN: ALL MAPS, EXHIBITS, WRITTEN DOCUMENTS, AND MATERIALS CONTAINED IN THE FILES REGARDING THIS PROJECT ARE ON RECORD IN THE CITY OF SAN DIEGO, AS ARE THE WRITTEN DOCUMENTS REFERRED TO HEREIN AND THE ORAL PRESENTATIONS GIVEN. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S400: COMMENDED

Commending Frank Landerville, Judith L. Lenthall, and Elizabeth Morris, for their contributions to the development of the Single Room Occupancy (SRO) Program in San Diego, which has been given a national award of excellence by the Ford Foundation for its innovative approach to a nationwide problem.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A076-254.)

ITEM-S401: (R-89-1028) ADOPTED AS RESOLUTION R-272231

19881031

Proclaiming November 1988 to be "Spay and Neuter Month"; urging all residents in San Diego to support the responsible pet ownership promoted by the San Diego County Chapter of the Coalition for Pet Population Control.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A050-069.)

MOTION BY STRUIKSMA TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S402:

Six actions relative to the final subdivision map of Scripps Eastview Unit 1, a 1-lot subdivision located northwesterly of Pomerado Road and Spring Canyon Road:

(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-89-789) ADOPTED AS RESOLUTION R-272232
Authorizing the execution of a Subdivision Improvement Agreement with ITEC Properties for the installation and completion of public improvements.

Subitem-B: (R-89-788) ADOPTED AS RESOLUTION R-272233
Approving the final map.

Subitem-C: (R-89-790) ADOPTED AS RESOLUTION R-272234
Approving the acceptance by the City Manager of a grant deed of ITEC Properties granting to the City Lot 1 of Scripps Eastview Unit 1.

Subitem-D: (R-89-791) ADOPTED AS RESOLUTION R-272235
Approving the acceptance by the City Manager of a street easement deed of Sunburst Homes Company, granting to the City an easement for public street purposes in a portion of the Southwest Quarter of Section 26, Township 14 South, Range 2 West, San Bernardino Meridian; dedicating the land as and for public streets and naming the same Cypress Canyon Road and Cypress Canyon Park Drive.

Subitem-E: (R-89-792) ADOPTED AS RESOLUTION R-272236
Authorizing the execution of an agreement with ITEC Properties for FBA credits for the improvement of Pomerado Road and Spring Canyon Road.

Subitem-F: (R-89-793) ADOPTED AS RESOLUTION R-272237
Authorizing the execution of a Dedication and Improvement Agreement with ITEC Properties and Sunburst Homes Company for County Island Neighborhood Park.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, the subdivider is entering into two additional agreements. The first agreement is to grant FBA credits or reimbursement (depending on the availability of funds) for the construction of Pomerado Road and Spring Canyon Road. The second is an agreement for the acquisition and the improvement of the County Island Neighborhood Park. ITEC Properties, the developer of Scripps Eastview, and Sunburst Homes Company, developer of adjacent Sunburst Scripps, have jointly agreed to design Phase I and II of the park and complete the construction of Phase I before

occupancy of any residential units within either subdivision. Park Fee credits and/or reimbursement (depending upon the availability of funds) will be granted for the acquisition and improvement of the park. The cost of the acquisition will be the appraised value of the land or \$390,000, whichever is lesser. The total estimated project cost, including acquisition, is \$2,290,000.

FILE LOCATION: SUBITEM A: A,B,E&F: SUBD - SCRIPPS EASTVIEW
UNIT 1; SUBITEM C: DEED F-4688; SUBITEM D:
F-4689 DEED FY89-2; CONT FY89-3

COUNCIL ACTION: (Tape location: B562-575.)

MOTION BY STRUIKSMA TO ADOPT ITEMS S402, S403, S404 AND S405.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not
present, Mayor O'Connor-yea.

ITEM-S403:

Five actions relative to the final map of Sunburst Scripps
Unit 1 , a 7-lot subdivision located northwesterly of
Pomerado Road and Spring Canyon Road:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-89-806) ADOPTED AS RESOLUTION R-272238
Authorizing the execution of a Subdivision Improvement
Agreement with Sunburst Homes Company for the installation
and completion of certain public improvements.

Subitem-B: (R-89-805) ADOPTED AS RESOLUTION R-272239
Approving the final map.

Subitem-C: (R-89-807) ADOPTED AS RESOLUTION R-272240
Authorizing the execution of an agreement with ITEC
Properties and Sunburst Homes Company for sewer service and
the construction of water and sewer improvements.

Subitem-D: (R-89-808) ADOPTED AS RESOLUTION R-272241
Authorizing the execution of an agreement with Sunburst
Homes Company for the reimbursement of FBA fees for the
construction of Pomerado Road and Spring Canyon Road.

Subitem-E: (R-89-809) ADOPTED AS RESOLUTION R-272242
Authorizing the execution of an agreement with Sunburst
Homes Company and ITEC for acquisition of right-of-way and

construction of Pomerado Road within the City of Poway.
CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, the subdivider is entering into three other agreements. The first is an agreement for sewer service and for the construction of water improvements affecting the Sunburst Scripps development and the adjacent Scripps Eastview subdivision. This agreement, which has been signed by both developers, provides that no occupancy permits will be issued on any building permits until the design of the sewer and water facilities have been approved by the City, a Participation Agreement executed for the water facilities, and either a sewer service agreement executed with the City of Poway or a temporary sewer pump station installed and maintained by the developer. The second is an agreement to grant FBA credits or reimbursement (depending on the availability of funds) for the construction of Pomerado Road and Spring Canyon Road. The third is an agreement whereby both developers agree to diligently pursue the acquisition of right-of-way to complete the Pomerado Road transition in the City of Poway and construct the transition at their expense when the right-of-way is acquired.

WU-ED-89-058.

FILE LOCATION: SUBD - SUNBURST SCRIPPS UNIT 1 CONT
FY89-4

COUNCIL ACTION: (Tape location: B562-575.)

MOTION BY STRUIKSMA TO ADOPT ITEMS S402, S403, S404, AND S405.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not
present, Mayor O'Connor-yea.

ITEM-S404:

Two actions relative to Pomerado Road Dedication:

(Located at Pomerado Road, east of I-15 to the Poway City
Limits. Scripps-Miramar Ranch Community Area.
District-5.)

Subitem-A: (R-89-894) ADOPTED AS RESOLUTION R-272243

Dedicating portions of Sections 26, 34 and 35, Township 14
South, Range 2 West, S.B.B.M. for public streets and naming
the same Pomerado Road and Spring Canyon Road.

Subitem-B: (R-89-895) ADOPTED AS RESOLUTION R-272244

Certifying that the information contained in Environmental

Impact Report EIR-87-0883 and EIR-87-0884, have been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and have been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The City approved Tentative Maps TM-87-0883 and TM-87-0884, Scripps Eastview Unit No. 1 and Sunburst Scripps Unit No. 1. One of the conditions of this approval was the realignment and improvement of Pomerado Road, east of I-15 to the Poway City Limits. Easements for the right-of-way have been obtained from seven property owners. The easement deeds have been accepted by the City Manager and the right-of-way now needs to be dedicated and named.

NOTE: See Items S402 and S403 for companion items.

FILE LOCATION: DEED F-4690 DEED FY89-1

COUNCIL ACTION: (Tape location: A562-575.)

MOTION BY STRUIKSMA TO ADOPT ITEMS S402, S403, S404, AND S405. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S405:

Three actions relative to the final subdivision map of Sunburst Scripps Unit, 2 a 170-lot subdivision located northeasterly of I-15 and Pomerado Road:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-89-917) ADOPTED AS RESOLUTION R-272245
Authorizing the execution of a Subdivision Improvement Agreement with Sunburst Homes Company for the installation and completion of public improvements.

Subitem-B: (R-89-918) ADOPTED AS RESOLUTION R-272246
Approving the acceptance by the City Manager of a grant deed of Sunburst Homes Company, granting to the City Lot 162 of Sunburst Scripps Unit 2.

Subitem-C: (R-89-916) ADOPTED AS RESOLUTION R-272247
Approving the final map.

FILE LOCATION: SUBITEM A&C: SUBD- SUNBURST SCRIPPS UNIT 2; SUBITEM B: DEED F-4691 DEED FY89-1; CONT FY89-1

COUNCIL ACTION: (Tape location: B562-575.)

MOTION BY STRUIKSMA TO ADOPT ITEMS S402, S403, S404, AND

S405. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not
present, Mayor O'Connor-yea.

ITEM-S406: (R-89-1026) ADOPTED AS AMENDED AS RESOLUTION
R-272248

19881031

(Continued from the meeting of October 10, 1988, a
portion of Item 150, at Curtis Fitzpatrick's request, to
allow Attorney Witt to address these propositions when
he returns; Continued from the meeting of October 24,
1988, Item 150, at Council Member Pratt's request, for
further discussion.)

Approving and adopting the Rules Committee's
recommendations to take no position on Propositions
100, 101, 103, 104 and 106 on the November 8, 1988 State
General Election Ballot, as summarized in
Intergovernmental Relations Department Report IRD-88-33.
(See Intergovernmental Relations Department Reports
IRD-88-33 and IRD-88-31.)

COMMITTEE ACTION: Reviewed by RULES on 9/21/88.

Recommendation to approve the IRD's recommendations with the
following changes: Proposition 83 - Support, Proposition 93
- No Position, Proposition 95 - No Position, Proposition 99 -
Support. Districts 2, 3, 7 and Mayor voted yea. District 1
not present. Proposition 96 - Support. Districts 2, 3 and 7
voted yea. Mayor voted nay. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-423; B576-C215.)

MOTION BY ROBERTS TO TAKE "NO POSITION" ON PROPOSITION 100.

Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-nay,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not
present, Mayor O'Connor-nay.

MOTION BY ROBERTS TO TAKE A POSITION "IN OPPOSITION" ON
PROPOSITION 101. Second by Pratt. Passed by the following
vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not
present, Mayor O'Connor-yea.

MOTION BY ROBERTS TO TAKE "NO POSITION" ON PROPOSITION 103.

Second by Wolfsheimer. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-nay,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not

present, Mayor O'Connor-nay.

MOTION BY ROBERTS TO TAKE A POSITION "IN OPPOSITION" ON PROPOSITION 104. Second by McColl. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY ROBERTS TO TAKE "NO POSITION" ON PROPOSITION 106. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-S407: (R-89-692) ADOPTED AS RESOLUTION R-272249

Authorizing the execution of a first amendment to the lease agreement with Earl Bishop, which amendment establishes, commencing March 1, 1992, a percentage rent of 25 percent, or an annual minimum rent of \$10,000, whichever is greater, on the annual gross income received or earned from all sources related to the use of 115 acres of leased land in San Pasqual.
(See City Manager Report CMR-88-520. San Pasqual Valley Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 10/26/88.
Recommendation to approve the City Manager's recommendation.
Districts 6, 7 and 8 voted yea. Districts 1 and 5 not present.

FILE LOCATION: LEAS - EARL BISHOP LEAS FY89-1

COUNCIL ACTION: (Tape location: B070-076.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S408: (R-89-929) ADOPTED AS RESOLUTION R-27250)

Confirming the reappointment by the Mayor of Carl Winsjansen to serve as a member of the Housing Commission in the "Tenant-over 62" category, for a term to expire January 2, 1990.
(See memorandum from Mayor O'Connor dated 10/25/88.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B070-076.)

MOTION BY MCCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,

Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NOTE: Six votes are required to suspend the rules of the Council to allow reconsideration.

ITEM-S409: RECONSIDERED; CONTINUED HEARING TO
NOVEMBER 14, 1988

Matter of the request of Mayor O'Connor, for a reconsideration of the Council's decisions on the following development agreements:

- Proposal to Approve the Regency Hill Development Agreement between the City of San Diego and Barnett-Range-Harbrecht/Regency Hill Associates, which would apply to approximately 33.39 acres in the Tierrasanta Community. Case-88-0907. (District-7.) Motion to Note and File on September 20, 1988. Yeas-1,2,3,4,5,6,7,8,M.
- Approval of the proposed Miramar Ranch North Development Agreement between the City of San Diego and BCE Development, Inc. The property is located generally east of I-15, southerly of Poway Road and north of Miramar Lake. Case-87-0768. (District-5.) Failed on September 20, 1988. Yeas-3,5,7. Nays-1,2,4,6,8,M.
- Approval of the proposed Stonecrest Development Agreement between the City of San Diego and Stonecrest Associates, which would apply to approximately 318 acres in the Serra Mesa Community. Case-87-0770. (District-5.) Motion to Note and File on September 20, 1988. Yeas-3,4,5,6,7,M. Not present-1,2,8.
- Approval of the proposed Wuest Estate Development Agreement between the City of San Diego and Wuest Estate Company, which would apply to approximately 250 acres in the Miramar Ranch North Community. Case-88-0908. (District-5.) Denied Agreement on September 20, 1988. Yeas-2,3,4,5,6,7,M. Not present-1,8.
- Approval of the proposed USG No. 161 Development Agreement between the City of San Diego and Security First National Corporation, which would apply to approximately 40 acres in the Miramar Ranch North Community. Case-88-0913. (District-5.) Denied Agreement on September 20, 1988.

Yeas-2,3,4,5,6,7,M. Not present-1,8.

- Approval of the proposed McCrink Development Agreement between the City of San Diego and Edward J. McCrink which would apply to approximately 80 acres in the Miramar Ranch North Community. Case-88-0914. (District-5.)

Denied Agreement on September 20, 1988.

Yeas-2,3,4,5,6,7,M. Not present-1,8.

- Approval of the proposed Curry Development Agreement between the City of San Diego and Robert T. and Raedene Curry, which would apply to approximately 57.8 acres in the Miramar Ranch North Community.

Case-88-0915. (District-5.)

Denied Agreement on September 20, 1988.

Yeas-2,3,4,5,6,7,M. Not present-1,8.

FILE LOCATION: DEVL - REGENCY HILL DEVELOPMENT AGREEMENT, MIRAMAR RANCH NORTH DEVELOPMENT AGREEMENT, STONECREST DEVELOPMENT AGREEMENT, WUEST ESTATE DEVELOPMENT AGREEMENT, USG NO. 161 DEVELOPMENT AGREEMENT, McCRINK DEVELOPMENT AGREEMENT, CURRY DEVELOPMENT AGREEMENT

COUNCIL ACTION: (Tape location: A317-B036.)

MOTION BY STRUIKSMA TO RECONSIDER REGENCY HILL DEVELOPMENT AGREEMENT, STONECREST DEVELOPMENT AGREEMENT, WUEST ESTATE DEVELOPMENT, USG NO. 161 DEVELOPMENT, McCRINK DEVELOPMENT AGREEMENT, AND CURRY DEVELOPMENT AGREEMENT. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY PRATT TO RECONSIDER MIRAMAR RANCH NORTH DEVELOPMENT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY ATTORNEY

COUNCIL MEMBER PRATT REQUESTED THAT PROPOSITION "A" BE
CONSIDERED AS AN EMERGENCY ITEM ON NOVEMBER 1, 1988
COUNCIL MEETING.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D216-219.)

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor
O'Connor at 4:35 p.m.